

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
GREENEVILLE

KATERI LYNEE DAHL,]	
]	
Plaintiff,]	
]	
v.]	No. 2:22-cv-00072-KAC-JEM
]	JURY DEMAND
CHIEF KARL TURNER, and]	
CITY OF JOHNSON CITY, TENNESSEE,]	
]	
Defendants.]	

**DEFENDANTS' RESPONSE IN OPPOSITION
TO PLAINTIFF'S MOTION TO STRIKE**

Come the defendants, the City of Johnson City, Tennessee ("Johnson City") and Karl Turner, in his individual capacity, and respond in opposition to plaintiff's Motion to Strike [Doc. 125] as follows:

I. Plaintiff's position

The plaintiff asserts that the defendants' pleading entitled "Defendants' Objection to Certain Witnesses Listed by the Plaintiff" [Doc. 121] should be stricken because it "is in reality an untimely motion in limine." *Doc. 125, PageID #: 3893.*

II. Pleadings filed after original motion in limine deadline

On April 8, 2024, the plaintiff filed "Objections to Defendants' Final Witness List." *Doc. 119, PageID #: 3827.* Even though plaintiff represented that this pleading was being filed "pursuant to the *Scheduling Order*," that was not correct. *Id. (italics in original).*

In response, on April 10, 2024 the defendants filed "Objections to Certain Witnesses Listed by the Plaintiff." *Doc. 121, PageID #: 3836.*

III. Defendants' position

After the plaintiff filed her Motion to Strike, this Court entered an Amended Scheduling Order ("Order"). *See Doc. 126, PageID #: 3897*. That Order reset the deadline for motions in limine to August 23, 2024. *Id., PageID #: 3899*. The defendants request that the Court dismiss, without prejudice, the Plaintiff's Objections to Defendants' Final Witness List (Doc. 119) and the Defendants' Objections to Certain Witnesses Listed by the Plaintiff (Doc. 121).

The defendants further request that the plaintiff's Motion to Strike be dismissed as moot since the asserted basis for the Motion is that the defendants had filed an untimely motion in limine; but now that deadline has been extended. Therefore, each side now has the opportunity, if that party so chooses, to file a motion in limine as to any witness who has been identified by the opposing party.

Respectfully submitted,

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